



City of Loma Linda Official Report

Floyd Petersen, Mayor
Stan Brauer, Mayor pro tempore
Robert Christman, Councilmember
Robert Ziprick, Councilmember
Charles Umeda, Councilmember

COUNCIL AGENDA: August 23, 2005
TO: City Council
VIA: Dennis R. Halloway, City Manager
FROM: Pamela Byrnes-O'Camb, City Clerk
SUBJECT: Minutes of April July 26, 2005

RECOMMENDATION

It is recommended that the City Council approve the Minutes of July 26, 2005.

City of Loma Linda

City Council Minutes

Regular Meeting of July 26, 2005

A regular meeting of the City Council was called to order by Mayor pro tempore Brauer at 7:06 p.m., Tuesday, July 26, 2005, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:	Mayor pro tempore Stan Brauer Robert H. Christman Robert Ziprick Charles Umeda
Councilman Absent:	Mayor Floyd Petersen
Others Present:	City Manager Dennis Halloway City Attorney Richard E. Holdaway

Councilman Ziprick led the invocation and Pledge of Allegiance.

Items to be Added or Deleted

City Manager Halloway stated that the applicant withdrew Item No. 3, "Appeal of Planning Commission decision relating to Conditional Use Permit 05-01 for 40 apartment units on the south side of Barton Road, west of Heritage Gardens".

City Attorney Holdaway, in response to questions, stated that Staff received written withdrawal of the appeal; therefore, the appeal was withdrawn from the agenda. The applicant could comment briefly within the public comments portion of the agenda. He cautioned the City Council and audience that because any future project would require a new application, discussion concerning a future project was not appropriate at this time.

Oral Reports/Public Participation

Floyd Loupot, 610 S. Orange Grove Boulevard, Pasadena, and partner from Heritage Gardens, expressed willingness to work with the neighboring community to arrive at a project for the site west of Heritage Gardens that the community would support.

Nabil Razzouk, 11491 Poplar Street, also expressed a willingness to work with the partners of Heritage Gardens to arrive at an acceptable project for the site.

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No conflicts of interest were noted.

Scheduled and Related Items

CC-2005-093 – Presentation to Randy Neff for his service to the community as a Planning Commissioner

On behalf of the City Council and Staff, Mayor pro tempore Brauer thanked Mr. Neff for his service to the community and presented him with a plaque and pen in recognition of 10 years as a Planning Commissioner. Mr. Neff acknowledged City Council Members and spoke briefly.

CC-2005-094 – Public Hearing – Council Bill #R-2005-48 – Determine costs related to Spring 2005 Weed Abatement Program

The public hearing was opened and Division Chief Crawford presented the report into evidence, stating that the Weed Abatement Program was conducted in the spring and fall of each year as a fire prevention measure. He introduced Fire Prevention Inspector Patterson, who supervised the Program.

Chief Crawford distributed a letter from Joseph T. Levay, requesting relief of the \$100 administrative charge because he had not received the Notice to Abate, as he had in previous years.

Dick Churchwell, 11156 Anderson Street, owner of Parcel #294-041-39 asked for relief of the administrative charge also because he made arrangements with his contractor, Kinco Weed Abatement, but due to a scheduling error, his contractor did not abate the property within the time period and therefore the City's contractor completed the work. He submitted a letter from his contractor confirming his statements.

No other public testimony was offered and the public hearing was closed. Discussion ensued.

Motion by Umeda, seconded by Ziprick and carried to waive the administrative charges only for Levay and Churchwell, AP# 0284-561-17 and 0294-041-39 respectively, and to adopt Council Bill #R-2005-48 as amended. Mayor pro tempore Brauer opposed; Mayor Petersen absent.

Resolution No. 2409

A Resolution of the City Council of the City of Loma Linda adopting a Report and Statement of Expenses for the Spring 2005 Weed Abatement Program and imposing a lien upon property for payment therefor

CC-2005-095 – Public Hearing – University Village and Orchard Park Specific Plan Projects 308 acres located north of Mission Road, south of Redlands Boulevard, east of the Southern California Edison Easement, and west of California Street (Continued from May 24 and to be continued to August 16)

- a. Approval and Certification of the Draft Final Environmental Impact Report (EIR) which includes Response to Comments, Mitigation Monitoring Program, and Findings for a Statement of Overriding Considerations, based on the Findings for a Statement of Overriding Considerations that the project benefits outweigh the potential negative impacts of the University Village and Orchard Park Specific Plan Projects
- b. Council Bill #R-2005-33 – General Plan Amendments Nos. 02-02 and 02-05, Amending the General Plan Land Use Designation from Business & Research Park (with support uses), Elementary School, and Community Park to Special Planning Area D (SPA D)
- c. Council Bill #R-2005-34 – Adopting Specific Plan No. 02-08 (University Village) for the subdivision of 163 acres into approximately 1,507 units, including mixed-use units, multi-family and single-family residences; 172,000 square feet of commercial/retail spaces, 25 acres of park land including a private community center, trails that connect to adjacent developments and open space to maintain the existing orange groves and an 11-acre school site for future elementary and junior high schools
- d. Council Bill #R-2005-44 – Adopting Specific Plan No. 02-13 (Orchard Park) for the subdivision of 138 acres into approximately 990 units, including mixed use units, multi family and single-family residences and senior housing; approximately 13 acres of parks, including pocket parks, trails with connection to adjacent development and a central park with an 8-acre church site.
- e. Council Bill #O-2005-09 – (First Reading/Set Second Reading for July 26) Adopting Specific Plan No. 02-08 (University Village) for the subdivision of 163 acres into approximately 1,507 units, including mixed-use units, multi-family and single-family residences; 172,000 square feet of commercial/retail spaces, 25 acres of park land including a private community center, trails that connect to adjacent developments and open space to maintain the existing orange groves and an 11-acre school site for future elementary and junior high schools
- f. Council Bill #O-2005-10 – (First Reading/Set Second Reading for July 26) Adopting Specific Plan No. 02-13 (Orchard Park) for the subdivision of 138 acres into approximately 990 units, including mixed use units, multi family and single-family residences and senior housing; approximately 13 acres of parks, including pocket parks, trails with connection to adjacent development and a central park with an 8-acre church site.
- g. Council Bill #O-2005-08 – (First Reading/Set Second Reading for July 26) – Zone Change Nos. 02-02 and 02-05 from Single-Family Residence (R-1), General Business (C-2), East Valley Corridor Specific Plan Special Development and Public Institutional to Planned Community (PC)

Mayor pro tempore Brauer opened the public hearing, stating that it was the consensus of Council Members and applicants that a full Council was desired; therefore, the items would be continued to August 16. He asked that comments be made at this time only if persons could not be present at that time. No one spoke.

Motion by Christman, seconded by Umeda and carried to continue the public hearing to August 16. Mayor Petersen absent.

Councilman Christman, recognizing that the Environmental Impact Report addressed both projects, asked that, except for the EIR, separate public hearings be held on August 16 for each project.

CC-2005-096 – Public Hearing/Workshop – Land Use Element of the General Plan Update for Special Planning Areas (To be continued to August 16)

The public hearing was opened and Mayor pro tempore Brauer asked those who could not attend the August 16 meeting to present their comments at this time. No one spoke.

Motion by Ziprick, seconded by Christman and carried to continue the public hearing to August 16. Mayor Petersen absent.

CC-2005-097 – Consent Calendar

Motion by Christman, seconded by Umeda and carried to approve the following items. Mayor Petersen absent.

The Demands Register dated July 12, 2005 with commercial demands totaling \$350,900.70.

The Demands Register dated July 14, 2005 with commercial demands totaling \$184,627.18.

The Demands Register dated July 12, 2005 with commercial demands totaling \$34,137.64.

The Demands Register dated June 30, 2005 with commercial demands totaling \$808,706.83 and payroll demands totaling \$231,830.88.

The Demands Register dated June 30, 2005 with commercial demands totaling \$16,956.35.

The Demands Register dated June 30, 2005 with commercial demands totaling \$680,424.13.

The Demands Register dated July 26, 2005 with commercial demands totaling \$190,468.18 and payroll demands totaling \$210,650.02.

The Minutes of May 24, June 7, 14 and 28, 2005 as presented.

The June 2005 Treasurer's Report for filing.

The June 2005 Fire Department Statistics Report for filing.

Extension of the Weed Abatement Contract with Larry Jacinto Farming, Inc. through the Fall 2005 season.

Declaration of a vacancy on the Traffic Advisory Committee; direction to the Clerk to post a Special Vacancy Notice.

The Chamber of Commerce Quarterly Report and request for disbursement of funds pursuant to agreement with the City.

Award of contract to John Griffin Construction, Inc. of Corona, in the amount of \$438,731.81 for construction of Quadrant 2, Phase 1 of the Connected Community Fiber Optic Backbone.

Award of contract to GTS Associates, Inc. in the amount of \$198,790 for architectural services for the Loma Linda Library Expansion Project.

Council Bill #R-2005-49.

Resolution No. 2410

A Resolution of the City Council of the City of Loma Linda, County of San Bernardino, California, initiating proceedings for the annexation of territory to the Loma Linda Landscape Maintenance District No. 1, as Annexation No. 69, Tract No. 16730, determining that these proceedings shall be taken pursuant to the Landscaping and Lighting Act of 1972 and the Right to Vote on Taxes Act, preliminarily approving the Engineer's

Report, and declaring the City's intention to order the annexation, and offering a time and place for hearing objections thereto

Request from the Chamber of Commerce to close certain streets on October 9, 2005 for the Loma Linda Community Parade.

Modifications to the Design, Installation and Product Specification document for the Loma Linda Connected Community Program.

Addendum to the Agreement with RBF Consultant Company in the amount of \$18,900, including the City's portion of \$2,579.85, relating to the Environmental Impact Report, supporting documents and studies for the University Village and Orchard Park Specific Plans.

New Business

CC-2005-098 – Council Bill #O-2005-13 (First Reading/Set the public hearing for August 23) – Amending Title 10 of the Loma Linda Municipal Code pertaining to parking

Division Chief Crawford introduced the item, stated that the proposed ordinance was drafted to address citizen concerns relating to the parking of commercial vehicles in residential areas. He stated that the ordinance addressed the parking of commercial vehicles in non-residential areas as well, and confirmed that the proposed ordinance did not address recreational vehicles.

Motion by Christman, seconded by Ziprick and carried to introduce Council Bill #O-2005-13 on First Reading and to set the public hearing for August 23. Mayor Petersen absent.

CC-2005-099 – Discussion and possible First Reading relating to Council Bill #O-2005-14 to amend Loma Linda Municipal Code Chapter 2.24 relating to expanding the Planning Commission; eliminating the Alternate position; and designating a quorum

The City Clerk presented the report, indicating that the Planning Commission was established in 1992; an Alternate Position was established to address absenteeism and to constitute a quorum in addition to voting in the absence of any one Commissioner. The Alternate Position had not been filled for some time. Recently the City Council filled vacant positions on the Planning Commission and due to the quality of applicants, asked that expansion of the Commission be discussed. The proposed ordinance was drafted in response to that request and provided for the expansion of the Commission for up to seven members, eliminated the Alternate Position and designated a quorum of three for a five-member Commission and five for a seven-member Commission in order to avoid a tie vote when an even number constituted a quorum.

Director of Community Development Woldruff and City Attorney Holdaway responded to questions. Discussion ensued relating to quorum requirements, with Councilmen Christman and Brauer supporting four members of a seven-member Commission constituting a quorum. However, they concurred that changes regarding a quorum could be considered at another time, should it become necessary.

Motion by Ziprick, seconded by Christman, and carried to introduce Council Bill #O-2005-14 on First Reading and to set the public hearing for August 23.

C-2005-100 – Designate Voting Delegate and Alternate for the 2005 League of California Cities Conference October 6-8 in San Francisco

Attendance was discussed.

Motion by Christman, seconded by Ziprick and carried to designate Councilman Umeda as the Voting Delegate and City Manager Hallaway as the Voting Alternate for the October 6-8, 2005 League of California Cities Conference in San Francisco.

CC-2005-101 – Set the public hearing date regarding an Automated Enforcement System (red light cameras)

Lt. Guerra of the San Bernardino County Sheriff's Department presented the report, stating that he and Staff had investigated the feasibility of implementing an automated red light enforcement system at various intersections as a traffic safety measure. A public hearing was required, pursuant to Vehicle Code Section 21455.6, prior to entering into a contract for use of the system. He noted that several cities utilized the system, and suggested that the vendors present their product prior to any decision being made. He also noted that implementation of the program reduced the number of accidents, provided essential information at intersections, and reduced crime.

Councilman Christman stated that presentations had been made at SANBAG, several cities in San Bernardino County have implemented the program; however, it was his opinion that it limited privacy. Councilman Umeda countered that the cameras provided vital information for accident investigators in addition to being a deterrent factor, thus increasing intersection safety. Mayor pro tempore Brauer commented on the number of cameras in London, England and also the fact that studies have shown a 40% to 50% reduction in red light violations in areas utilizing the automated enforcement system. Councilman Ziprick suggested the public hearing be scheduled for August 23 for public input.

Motion by Ziprick, seconded by Umeda to schedule the presentation and public hearing for August 23. Mayor Petersen absent.

CC-2005-102 – Resolution of conflict of interest relating to future LLUMC Bond Issue

Due to the absence of Mayor Petersen, the item was continued to August 16 by common consent.

Reports of Councilmen

Mayor pro tempore Brauer stated that he represented the City at the annual Joint Powers Insurance Authority meeting, noting that the CJPIA was formed to handle liability and workers compensation claims for member agencies who were self-insured through the Authority. He noted that Loma Linda ranked third out of 30 cities reporting the lowest number of liability claims, and was in the top one third as far as workers compensation claims were concerned.

He then asked about the grading that was occurring at the west end of Lawton Avenue. Director of Community Development Woldruff responded that it concerned geotechnical excavations to identify the location of faults, and did not require a permit.

The meeting adjourned at 8:17 p.m.

Approved at the meeting of

City Clerk